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Counsel for Plaintiff
GREEN VALLEY CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GREEN VALLEY CORPORATION,

Plaintiff,

vs.

CALDO OIL COMPANY, et al.,

Defendants.

No. C 09-4028 JF

**STIPULATED REQUEST TO CONTINUE
CASE MANAGEMENT CONFERENCE
AND [PROPOSED] ORDER**

Civil L.R. 16-2(e), 7-12

Case Management Conference:

Judge Fogel
Courtroom 3
March 26, 2010
10:30 a.m.

Introduction

The parties stipulate to and jointly request a further brief continuance of the Case Management Conference currently set for this Friday, March 26, 2010, at 10:30 a.m. in Courtroom 3.

Why a Continuance is Necessary

The Court will recall that Defendants Caldo Oil Company, Victor LoBue and the Victor LoBue Trust (the "Caldo defendants") had not waived service and had not yet been served as of January 22, 2010, the date of the Initial Case Management Conference. The Court therefore continued the Case Management Conference to Friday, March 26, 2010. *See* Court Docket, Document 25.

On March 5, 2010, Plaintiff Green Valley Corporation ("Green Valley") served the Caldo defendants with process by substituted service on their attorney, Gregg Garrison, who agreed to accept



1 service on their behalf. Green Valley filed proof of such service on March 16, 2010. *See* Court Docket,
2 Document 26.

3 However, the Caldo defendants have not yet responded to Green Valley's First Amended
4 Complaint. (Their response is not due until March 26, 2010, the same day as the continued Case
5 Management Conference.) They also did not participate in drafting the Continued Joint Case
6 Management Statement, which Green Valley and Defendant Nella Oil Company ("Nella") jointly
7 drafted and which Green Valley filed on March 19, 2010. *See* Court Docket, Document 27.

8 Green Valley and Nella believe that the Continued Case Management Conference would be more
9 useful and effective if it were held *after* the Caldo defendants respond to the First Amended Complaint
10 and *after* they set forth their positions in a further Joint Case Management Statement.

11 **Stipulation**

12 Accordingly, Green Valley and Nella, through their attorneys of record, hereby stipulate to and
13 jointly request that the Case Management Conference currently set for Friday, March 26, 2010, be
14 continued for three weeks to Friday, April 16, 2010 (the time and place to remain the same: 10:30 a.m.
15 in Courtroom 3) or that it be continued to such other date and time as the Court may deem just and
16 proper. *See* Civil L.R. 16-2(e), 7-12.

17 SO STIPULATED:

18 DATED: March 23, 2010

PALADIN LAW GROUP[®] LLP

20 /s/

21 _____
22 Brian R. Paget
23 Counsel for Plaintiff
24 GREEN VALLEY CORPORATION

25 DATED: March 23, 2010

ARONOWITZ & SKIDMORE, INC.

26 /s/

27 _____
28 Kathleen Cordova Lyon
Counsel for Defendant
NELLA OIL COMPANY, LLC

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1 **[Proposed] Order:**

2 The Case Management Conference set for March 26, 2010, is continued to April 16, 2010, at 10:30
3 a.m. in Courtroom 3. PURSUANT TO STIPULATION, IT IS SO ORDERED.

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5 DATED: March 24, 2010

6 Case No. C 09-4028 JF

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8 Judge Jeremy Fogel
9 U.S. District Court
10 Northern District of California
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